

Written Testimony in Opposition to
H8073 & S2710
and other coinciding bills within the
gun control legislation package
held for study on April 14th, 2026

Submitted to the House Judiciary Committee
&
Submitted to the Senate Judiciary Committee

Submitted by:

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To the members of this committee.

Hello, my name is Spike. I am a resident of Scituate and have been working as a Chef in Providence for almost three decades.

The focus of my testimony is to voice my opposition to H8073 & S2710, but there are other bills in this legislative package I am weary of and will express concern over.

I might start with the Second Amendment of the United States, I shouldn't have to say anything more than that, but I do, and I would like to begin with what Rhode Island says on the topic. If you have forgotten how our constitution reads, in Article I, Section 22 of our state constitution, it is written:

("quote")

The right of the people to keep and bear arms shall not be infringed.

("unquote")

It does not mention anything about magazine restrictions.

It does not mention anything about sales rations.

It does not mention which tools possess such an inherent capacity to inflict mass harm that they should be outlawed.

By seeking to outlaw the mere possession of a "firearm in common use", like a semi-automatic rifle, this committee is choosing to violate both the state constitution and its federal precedent.

Section 22 of our state constitution was not blindly copied from the Second Amendment, we've removed the preface of "A well regulated militia, being necessary to the security of a free State", and for good reason.

Our State Constitution was drafted due to the civil unrest sparked by the Dorr rebellion in 1842, where the citizens of the state demanded true democracy and voting rights that were not granted in the Royal Charter, which was the current law of the land. Rhode Islanders witnessed first hand what happens when a militia is weaponized by the government and unleashed onto its own citizens by turning its armed forces against regular people who are fighting for their liberty. The framers of our constitution intentionally omitted any mention of a "well-regulated militia" from our right to bear arms to ensure those rights belong solely, and unassailably, to the individual citizen for their own defense. They knew that an unarmed populace is a helpless populace, as history has shown time and time again.

One issue I brought forth in my original testimony on April 14th of 2026 is the exemption of law enforcement and military from these restrictions. This creates a two-tiered system which segregates the common folk from the elite. Our state and federal constitutions are designed to ensure that our government will never have the upper hand above its citizenry.

Under H7755, citizens face mandatory training, written exams, and live-fire requirements just to purchase a common use rifle, while law enforcement is completely exempt.

Under H7035, citizens face a 30-day ration cap just to buy a single firearm, while law enforcement is completely exempt.

Under House Bill 6614, which has already been passed, citizens have been banned from standard capacity magazines holding over 10 rounds of ammunition, while law enforcement is entirely exempt.

H8073 aims to tighten the restrictions already passed last year in Senate bill S359, making it *completely* illegal for a citizen to be in possession of certain rifles. The term "Assault Weapon" is used in title to this legislation. I'm in possession of my rifle for defense, not for assault, there is a difference, and every law abiding responsible gun owner will agree that we are not the criminals that H8073 sets out to label us as. Once again, law enforcement is explicitly exempt from the possession and transaction bans outlined in H8073. Federal, State, and local agencies are still legally permitted to import, purchase, and possess these firearms, and Federally Licensed Firearms Dealers in the state are still legally allowed to import and sell these "prohibited firearms" to the elite class that has a state issued badge.

Lets talk about the elite class. Do not tell me that the State holds a monopoly of safety. Do not tell me a badge grants infallible judgment. Do not tell me a State official has more rights than the taxpaying citizens that cover their salary.

Going back in history, The Dorr rebellion prompted martial law by the state. "The Elite" outlawed assembly where protesters were shot at for congregating, and people died. Political speech was outlawed, firearms were confiscated, arrests were made without warrant, and over 100 people were imprisoned without due process.

Let's bring us to this past century. Prior to 1946, the local government of Athens, Tennessee spent years terrorizing it's constituents and rigging elections with a corrupt council and a corrupt sheriff's department. They stole ballot boxes and barricaded themselves in the jailhouse to sway the election in their favor. The local populous recognized their officials had weaponized the law against regular citizens. These regular citizens, many whom just returned from the war, took up their arms again to fight tyranny that had grown sour in their town. They surrounded the jail and used force to restore the democratic process. This is in the essence of the 2nd Amendment where it is the responsibility and duty of the common citizen to maintain order when agents of the state decide they are no longer accountable to the people they serve.

Let me cover something more recent in the past decade: The I-95 shooting of 2017, which occurred right in front of the Providence Place Mall just feet away from the statehouse. City and State officials unloaded over 40 rounds into a vehicle killing the operator and critically wounding the passenger. 40 rounds to un-alive someone is a rather excessive use of force by any standard. If highly trained & heavily armed agents of the state can precipitate a tragedy like this, on what legal or moral ground can this committee claim they are more trustworthy, more responsible, or safer to hold these tools than I am?

That use of force was justified by a grand jury since the deceased used his truck aggressively, turning his vehicle into a deadly weapon. He did nothing wrong prior to the police intervention, which was due to mistaken identity, all because the man was driving a white pickup truck, a Ford F250 to be precise. I call that a vehicle in common use. I'm a Chevy man myself, my Silverado is also a vehicle in common use. It's so common that the Silverado is responsible for more vehicular fatalities than any other make and model on the road. It's responsible for over 1500 deaths a year, three times the amount of bodies compared to rifles. That loss of life is held to a different standard while I use a machine that has a reputable inherent capacity to inflict mass harm every time I commute.

These are just a few historic examples of what happens when elite government officials are given uneven authority and power over the public they have sworn to serve. I won't bore you with global talk about Nigeria, Korea, Cambodia, Venezuela, or Cuba. You can use your imagination on what lethal consequences resulted in stripping the general population from their ability to defend themselves from the well armed elite.

Our constitutional rights are not a commodity for trade to satisfy a shift in political preference. I see this legislative package for what it is: a partisan issue copy-pasted from other states. I've seen identical unconstitutional templates being pushed through places like Colorado, Virginia, and Minnesota to satisfy a specific party platform. I also see the same organizations pushing this agenda at every statehouse in the nation, wearing the same printed T's and holding the same printed signs. I am not blind to see what this legislation is really about, its about control.

I'd like to remind this committee that the overwhelming majority of your constituents in Rhode Island are unaffiliated independent voters & they are not hyper-partisan ideologues, myself included, I've been a registered independent since I was of age to vote. I'd also like to remind this committee that on top of this very building stands an Independent Man. He is the ultimate historic symbol of Rhode Islands identity, note that he holds a spear in his hand. The top of our statehouse doesn't feature a political nobleman from our history books, it features a "nobody" - like me, holding a weapon of defense - like me, who is willing to fight for our freedom, our family, and our individual sovereignty - like me.

As one of the unaffiliated citizens of the state, I'd like to go on the record stating that I pay my taxes, that I have no criminal record. I have no traffic violations or parking tickets, I contribute to my community, steward the lands I frequent, and my credit score isn't that bad.

By the end of this year, H8073 will transform me into a felon facing 10 years of incarceration. That's one entire decade, I'm halfway through my fifth decade on this earth, I doubt I'll get five more. Imagine the burden held by the officers who will be sent to the homes of friends, family, and neighbors to enforce a *blatantly* unconstitutional property confiscation. Walking up to the porches of law-abiding peaceful citizens who have committed zero crimes, and demand compliance under the threat of being placed in a cage for a large chunk of their lifetime.

Do you know what else happens at the end of this year if this legislation passes? You trigger an immediate, massive wave of federal litigation. Federal courts are actively striking down bans of this exact nature across the country. Rhode Island will be dragged into a multi-million-dollar legal nightmare to defend an unconstitutional law and pay the massive accumulation of legal fees to the plaintiffs. I am a tax payer, so that means I'm on the hook to pay that bill. If my human and moral argument today falls on deaf ears, I hope the financial aspect of my testimony is a language you will understand.

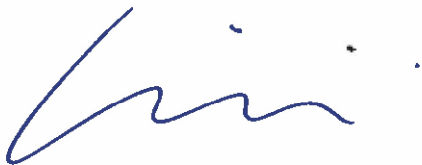
The Large Capacity Feeding Device Ban of 2022 and the Assault Weapons Ban Act of 2025 need to be revisited, as they are in clear violation of our constitutional rights. The Gun Safety Legislative Package of 2026, which was held for further study, needs to be tabled indefinitely for the same reasons.

I urge this committee to vote "nay" on the passage of this legislation, and to respect the fundamental freedoms & protected rights that were set forth by those who have proceeded me.

God Bless this great nation.

Thank you for listening.

Signed,

A handwritten signature in blue ink, appearing to read "Spike Mikulski". The signature is fluid and cursive, with a long horizontal stroke at the end.

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